

1 THE HONORABLE DAVID G. ESTUDILLO
2
3
4
5
6

7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 MAVERICK GAMING LLC,

11 Plaintiff,

12 v.

13 UNITED STATES OF AMERICA, et al.,

14 Defendants.

15 No. 22-cv-05325 DGE

16
17 **DECLARATION OF ERIC PERSSON IN
18 SUPPORT OF PLAINTIFF'S MOTION
19 FOR SUMMARY JUDGMENT**

20 I, Eric Persson, declare under penalty of perjury that the following is true and correct:

21 1. I am the Chief Executive Officer of Maverick Gaming LLC ("Maverick"), the
22 plaintiff in this case.

23 2. Maverick is a Washington limited liability company with a residence at 12530 NE
24 144th Street, Kirkland, WA 98034.

25 3. Maverick owns and operates 18 cardrooms in Washington. Those cardrooms do
26 not offer casino-style games like roulette, craps, sports betting, and dealer-assisted electronic table
27 games because Washington law does not allow Maverick to offer those types of games.

28 4. Maverick seeks to expand its gaming offerings in Washington to include additional
29 games such as roulette, craps, sports betting, and dealer-assisted electronic table games.

1 5. Maverick has identified economically viable opportunities to expand its
 2 Washington operations if doing so were legally permitted.

3 6. Maverick is able, ready, and prepared to expand its gaming operations in
 4 Washington to include roulette, craps, sports betting, dealer-assisted electronic table games, and
 5 other casino-style games. Maverick would offer these games if Washington law allowed it to do
 6 so.

7 7. Maverick has access to the capital needed to finance casino-style gaming operations
 8 in Washington and to purchase the necessary facilities and equipment.

9 8. Maverick has also conducted market analysis, identified suitable locations,
 10 contracted with vendors and business partners who could service the Washington market, and
 11 studied Washington's gaming laws.

12 9. Maverick has the necessary background and experience in casino-style gaming
 13 activities to offer such activities in the Washington market.

14 10. Maverick competes with other casinos, including tribal casinos in Washington, to
 15 offer the best and most attractive selection of games allowed by law.

16 11. Because Indian tribes in Washington can offer casino-style gaming—including
 17 roulette, craps, sports betting, and dealer-assisted electronic table games, among other games—
 18 but Maverick cannot legally do so, Maverick incurs increased expenses and lost revenue.

19 12. Specifically, because tribal casinos in Washington can offer a broader selection of
 20 games to their patrons, Maverick incurs increased advertising expense, increased promotional
 21 expenses, and increased entertainment expenses. Maverick also loses revenue from customers
 22 who would frequent Maverick's cardrooms if they offered casino-style gaming activities, but who
 23 instead frequent tribal casinos. Maverick also suffers a loss of goodwill by failing to offer the
 24

1 same set of products as its tribal competitors.

2 13. Maverick has commissioned third parties to conduct studies assessing its
3 commercial casino revenue opportunities in Washington, and these studies concluded that
4 Maverick could earn significant revenue in the Washington market were it not for Washington's
5 prohibition of most forms of casino-style gaming.

7 14. Tribal casinos' gaming activities in Washington alter competitive conditions in a
8 way that is unfavorable to Maverick. Maverick would be able to increase the revenue from its
9 cardrooms in Washington if it could offer casino-style games, or if tribal gaming facilities could
10 *not* offer casino-style games, because either outcome would allow Maverick to compete more
11 effectively with tribal gaming facilities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 12, 2022.

Eric Persson
Eric Persson